



BOARD OF COUNTY COMMISSIONERS

ACTION SUMMARY

SEPTEMBER 28, 2021 ~ 9:00 AM

COMMISSION CHAMBERS

2401 SE MONTEREY ROAD, STUART, FLORIDA 34996

COUNTY COMMISSIONERS

Stacey Hetherington, Chair
Doug Smith, Vice Chairman
Harold E. Jenkins II
Sarah Heard
Edward V. Ciampi

Taryn Kryzda, County Administrator
Sarah W. Woods, County Attorney
Carolyn Timmann, Clerk of the Circuit
Court and Comptroller

PRESETS

9:05 AM - Public Comment

5:05 PM - Final Fiscal Year 2021/2022 Budget Public Hearing (PH-2)

5:05 PM - Public Comment

CALL TO ORDER AT 9:07 AM

1. INVOCATION – Moment of Silence
2. PLEDGE OF ALLEGIANCE – **Hal Davis**, US Army Infantry Commander – highly decorated Vietnam Veteran
3. ADDITIONAL ITEMS – [There were no Additional Items.](#)
4. APPROVAL OF AGENDA – [The Agenda was approved.](#)
5. APPROVAL OF CONSENT AGENDA – [The Consent Agenda was approved.](#)

Consent Agenda items are considered routine and are enacted by one motion and will have no action noted, but the "Recommendation" as it appears on the Board item is the approved action.

PROCLAMATIONS AND SPECIAL PRESENTATIONS

PROC-1 PRESENT PROCLAMATIONS PREVIOUSLY APPROVED VIA THE CONSENT AGENDA

The Chair will present the proclamations declaring Fire Prevention Week, Falls Prevention Awareness Month, and 4-H Week in Martin County, Florida.

Agenda Item: 21-1028

[ACTION TAKEN: The proclamations were presented.](#)

COMMENTS

1. PUBLIC - PLEASE LIMIT COMMENTS TO THREE MINUTES.
2. COMMISSIONERS – The Board directed staff to send a Chair letter to the Department of Transportation Secretary, Gerry O'Reilly, asking that the landscaping project on SR-76/Kanner Highway be expedited.
3. COUNTY ADMINISTRATOR

CONSENT ADMINISTRATION

CNST-1 CONTRACTS THAT MEET THE THRESHOLD FOR BOARD APPROVAL

This item is a placeholder on all Board meeting agendas to streamline the process for items that meet the Board approval threshold. Specific items requiring approval, if any, will be provided by Supplemental Memorandum. If there are no items, a Supplemental Memorandum will not be attached.

Agenda Item: 21-0873 (no items)

CNST-2 BOARD OF COUNTY COMMISSIONERS' APPROVAL OF WARRANT LIST FOR DISBURSEMENT VIA CHECKS AND ELECTRONIC PAYMENTS TO COMPLY WITH STATUTORY REQUIREMENTS

Pursuant to Chapter 136.06, Florida Statutes, checks and electronic payments issued by the Board of County Commissioners are to be recorded in the Board meeting minutes. In compliance with statutory requirements, the Warrant List is added to the Consent Agenda for approval by the Board of County Commissioners. This Warrant List is for disbursements made between August 28, 2021 and September 10, 2021. Additional details related to these disbursements may be viewed in the office of the Martin County Clerk of Court and Comptroller or on the Clerk's website.

Agenda Item: 21-0877

CNST-3 AFFORDABLE HOUSING ADVISORY COMMITTEE APPOINTMENTS

After solicitation of applicants, the Board is asked to make the necessary appointments to the Affordable Housing Advisory Committee.

Agenda Item: 21-1025

RESOLUTION NO. 21-9.46

CNST-4 BOARDS AND COMMITTEES STATUS REPORT

This quarterly Status Report is provided to keep the Commission apprised of all the current vacancies, expired terms, etc. on their various boards and committees.

Agenda Item: 21-0879

CNST-5 ADOPT A PROCLAMATION DECLARING MANUFACTURING MONTH IN MARTIN COUNTY, FLORIDA

The Board is asked to adopt a proclamation declaring Manufacturing Month in Martin County, Florida.

Agenda Item: 21-0722

CNST-6 AIPP - MANATEE GATEWAY PELICAN SCULPTURES

In 2020, the Art in Public Places Public Art Advisory Committee (AIPP) (PAAC) and the Port Salerno Community Redevelopment Area (CRA) approved funding for four metal pelican sculptures to be placed at the Manatee Gateway. Unfortunately, the artist that was awarded this project is unable to manufacture and install the pelicans. A new artist, with new pelican renderings, has come forward.

Agenda Item: 22-0048

COUNTY ATTORNEY

CNST-7 INTERLOCAL AGREEMENT BETWEEN MARTIN COUNTY AND THE TOWN OF SEWALL'S POINT TO PROVIDE TEMPORARY BUILDING OFFICIAL, INSPECTION AND PLAN REVIEW SERVICES

This proposed Interlocal Agreement between Martin County and the Town of Sewall's Point represents an agreement which previously existed between Martin County and the Town of Jupiter Island and is proposed as a result of a request by the Town of Sewall's Point for Martin County to provide occasional Building Official, Inspection and Plan Review services on an as-needed basis at the request of the Town of Sewall's Point. This proposed Interlocal Agreement is retro-active September 1st, which results from an Administrative approval to provide inspections only, due to the absence of the Town of Sewall's Point Building Official.

Agenda Item: 22-0068

PUBLIC WORKS

CNST-8 APPROVAL OF A SALES CONTRACT FOR THE ACQUISITION OF 8456 SE FERN STREET IN HOBE SOUND AND ADOPTION OF A RESOLUTION APPROVING AND ACCEPTING A WARRANTY DEED FROM RENEE MCCLAIN

This is a request for approval of an "As Is" Sales Contract for the acquisition of a property located at 8456 SE Fern Street, Hobe Sound, which was identified as needed for additional flood attenuation and adoption of a resolution approving and accepting a Warranty Deed from Renee McClain, a single woman.

Agenda Item: 22-0073

RESOLUTION NO. 21-9.47

PUBLIC HEARINGS

PH-1 PUBLIC HEARING TO CONSIDER ADOPTION OF AN ORDINANCE REPEALING ARTICLE 6 RELATING TO TOBACCO PRODUCTS AND AMENDING ARTICLE 7 RELATING TO ELECTRONIC NICOTINE DELIVERY DEVICES OF CHAPTER 87, GENERAL ORDINANCES, MARTIN COUNTY CODE

On November 17, 2020, the Board of County Commissioners (Board) adopted Ordinance 1149 which, among other things, established 21 as the minimum age to purchase and use tobacco products in Martin County and established a tobacco distribution licensing requirement for tobacco retailers in Martin County. On May 7, 2021, Governor DeSantis signed Senate Bill (SB) 1080 relating to tobacco and nicotine products. Under the new legislation, the establishment of the minimum age for purchasing or possession, and the regulation for the marketing, sale or delivery of tobacco or nicotine products is preempted to the state beginning October 1, 2021.

Agenda Item: 21-1048

ORDINANCE NO. 1169

ACTION TAKEN: The Board approved the Ordinance.

PH-2 FINAL FISCAL YEAR 2022/2022 BUDGET PUBLIC HEARING

There will be an outline of the public hearing procedures followed by an overview and review/approval of the Resolutions.

Agenda Item: 21-0881 **5:05 PM PRESET**

ACTION TAKEN: The Board adopted the Resolutions and approved the Budget.

RESOLUTION NOS. 21-9.57 through 21-9.90

PUBLIC HEARING QUASI-JUDICIAL

PHQJ-1 D.R. HORTON, INC. REQUESTS APPROVAL OF REZONING TO PLANNED UNIT DEVELOPMENT THROUGH A PUD ZONING AGREEMENT INCLUDING A MASTER/FINAL SITE PLAN FOR THE PRESERVE AT PARK PLACE PROJECT (V038-002)

D.R. Horton, Inc. requests approval of rezoning to a Planned Unit Development (PUD) zoning district classification through The Preserve at Park Trace PUD Zoning Agreement. Included is a master/final site plan for the development of a 114-lot single family subdivision and the associated infrastructure on an approximate 97-acre parcel located on the south side of SE Cove Road at the SE Willoughby Boulevard intersection in Stuart. Included is a request for a Certificate of Public Facilities Reservation.

Agenda Item: 21-1093 **Supplemental Memorandum** RESOLUTION NO. 21-9.91

ACTION TAKEN: The Board received and filed the Agenda Item and all attachments as an exhibit and approved the request for a zoning district change from the RE-1/2A, Residential Estate District to the Planned Unit Development District through The Preserve at Park Trace PUD Zoning Agreement including the Master/Final Site Plan and the Preserve Area Management Plan and access waiver; the applicant agreed to install the six-foot opaque fence; and the applicant will work out an access easement agreement with the adjacent property owner (under current conditions); the Preserve Area Management Plan (PAMP) will be included as Exhibit G.

DEPARTMENTAL QUASI-JUDICIAL

GROWTH MANAGEMENT

DPQJ-1 PULTE GROUP REQUESTS FINAL SITE PLAN APPROVAL FOR PHASE 1 OF THE HIGHPOINTE PUD PROJECT (C148-009)

This is a request for Phase 1 final site plan approval for the Highpointe PUD (fka Pulte at Christ Fellowship). The final site plan includes 94 single family lots and the associated infrastructure on approximately 175 acres of the 321-acre project. Phase 1 also includes the 20-acre site proposed for donation to Operation 300. The Highpointe project is located on the east side of SW Pratt Whitney Road approximately one mile east of SW Kanner Highway in Stuart. Included with the application is a request for a Certificate of Public Facilities Reservation.

Agenda Item: 22-0041

RESOLUTION NO. 21-9.48

ACTION TAKEN: The Board received and filed the Agenda Item and all attachments as an exhibit and approved the PUD final site plan for Phase 1 of the Highpointe PUD.

**DEPARTMENTAL
ADMINISTRATION****DEPT-1 OFFICE OF MANAGEMENT AND BUDGET ITEMS WHICH REQUIRE BOARD
APPROVAL**

This is a placeholder on all Board meeting agendas to streamline the process for grant applications, awards, budget resolutions, budget transfers from reserves, and CIP amendments. Specific items requiring approval, if any, will be provided by Supplemental Memorandum.

Agenda Item: 21-0876 **Supplemental Memorandum (7 items)**

ACTION TAKEN:

1. PERMISSION TO APPLY FOR THE SPENCER EDUCATIONAL FOUNDATION FISCAL YEAR 2021-2022, SUMMER INTERNSHIP GRANT FOR RISK MANAGEMENT STUDENT INTERN – The Board authorized the Administration Department's Human Resources and Risk Management Division to apply for the Spencer Educational Foundation Grant for Fiscal Year 2021-2022.
2. PERMISSION TO APPLY FOR THE REBUILD FLORIDA CDBG-MITIGATION GENERAL INFRASTRUCTURE PROGRAM FOR THE MARTIN DOWNS WATER REPUMP STATION IMPROVEMENTS – The Board authorized the Utilities and Solid Waste Department to apply for the Grant in the amount of \$4,250,000.
3. PERMISSION TO ACCEPT THE CENTER FOR DISEASE CONTROL AND PREVENTION (CDC) DRUG FREE COMMUNITIES (DFC) GRANT (5 NH28CE003044-02-00) – The Board adopted the Budget Resolution. **RESOLUTION NO. 21-9.49**
4. PERMISSION TO ACCEPT THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) (2021-JAGC-MART-1-3B-096) – The Board authorized the Chair to execute the Edward Byrne Memorial Justice Assistance Grant (JAG) Program Acceptance of Federal Funding Assistance as well as any non-monetary grant related documents upon review and concurrence of the County Attorney's Office and adopted the Budget Resolution. **RESOLUTION NO. 21-9.50**
5. PERMISSION TO ACCEPT THE SMALL COUNTY OUTREACH PROGRAM (SCOP) GRANT FUNDING THROUGH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) FOR THE CRA1A/DIXIE HIGHWAY RESURFACING (FROM SE MONTEREY ROAD TO SE 5TH STREET) PROJECT (FM#441909-1-54-01) - The Board authorized the Chair to execute the SCOP agreement as well as any non-monetary grant related documents upon review and concurrence of the County Attorney's Office; adopted the Board Resolution; and adopted the Budget Resolution. **RESOLUTION NOS. 21-9.51 and 21-9.52**
6. PERMISSION TO ACCEPT THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) ASSISTANCE TO FIREFIGHTERS GRANT (AFG) FOR EQUIPMENT BACKGROUND/RELATED STRATEGIC GOAL - The Board authorized the Chair or designee to execute the agreement through the FEMA online portal as well as any non-monetary grant related documents upon review and concurrence of the County Attorney's Office; authorized the Fire Rescue Chief or designee to submit and execute any additional changes, documents, or budget actions, as well as any amendments to the grant contract; and adopted the Budget Resolution. **RESOLUTION NO. 21-9.53**
7. ADJUSTMENTS TO THE FISCAL YEAR 2021 BUDGET

- A. BUDGET RESOLUTION TO ALLOCATE ADDITIONAL REVENUES FOR SAILFISH SPLASH WATERPARK – The Board adopted the Budget Resolution to allocate the additional revenues collected by Sailfish Splash Waterpark in the amount of \$555,000. RESOLUTION NO. 21-9.54
- B. BUDGET RESOLUTION TO RECOGNIZE UNANTICIPATED REVENUES FROM FEES COLLECTED IN THE COURT FACILITIES FEE FUND – The Board adopted the Budget Resolution to increase the Court Facilities Fee Fund for additional fees collected and approved the Budget Transfer from Court Facilities Fund reserves. RESOLUTION NO. 21-9.55
- C. BUDGET RESOLUTION TO RECOGNIZE UNANTICIPATED REVENUES COLLECTED IN THE CONSOLIDATED FIRE MSTU FUND – The Board adopted the Budget Resolution to allocate the additional revenues collected by the Fire Rescue Department in the amount of \$235,000. RESOLUTION NO. 21-9.56

DEPT-2 CONTRACTS THAT MEET THE THRESHOLD FOR BOARD APPROVAL \$1 MILLION OR GREATER

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Agenda Item: 21-0875 Supplemental Memorandum (3 items)

ACTION TAKEN:

A. CONTRACTS OVER \$1,000,000

- 1. PHIPPS PARK RENOVATIONS PHASE II (RE-BID) (RFB2021-3316) - The Board awarded the contract to the lowest responsive and responsible bidder, Ferreira Construction Southern Division Co., Inc. in the amount of \$3,271,794.75 (base bid only); approved the CIP revision to reflect the bid award; and authorized the County Administrator or designee to execute any and all documents related to this request.
- 2. YARD TRASH PROCESSING, TRANSPORT & MANAGEMENT (RE-BID) (RFB2021-3340) - The Board awarded the contract to the lowest responsive and responsible bidder, Camo Farms, Inc. at a cost of \$17.39/ton and authorized the Chair to execute the Agreement and Lease for Yard Trash Processing Services.
- 3. MARTIN DOWNS GENERATOR STORAGE BARN (RFB2021-3346) - The Board awarded the contract to the lowest responsive and responsible bidder, Ahrens Enterprises, Inc. (d/b/a AHRENS Companies) in the amount of \$924,234.00; approved a budget transfer of \$500,000 from the Sanitary Sewer Lining CIP project to the Emergency Generator Storage Building CIP project; approved the CIP revision to allocate additional funding for the project; and authorized the County Administrator or designee to execute any and all documents related to this request.

PUBLIC - PLEASE LIMIT COMMENTS TO THREE MINUTES.

ADJOURNED AT 5:41 PM

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